

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

MONDAY, MARCH 20, 1989

AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor McCarty at 2:30 p.m. The meeting was recessed by Mayor O'Connor at 5:55 p.m. to convene the Redevelopment Agency Meeting. The meeting was reconvened by Mayor O'Connor at 6:29 p.m. with all Council Members present. Mayor O'Connor adjourned the meeting at 6:30 p.m. to meet in Closed Session in the twelfth floor conference room to discuss pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-present
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour (rb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-not present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-present
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-10: INVOCATION

Invocation was given by Reverend Blethen.

FILE LOCATION: MINUTES

Mar-20-1989

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Henderson.

FILE LOCATION: MINUTES

Mar-20-1989

ITEM-30: WELCOMED

Recognizing a group of approximately 25 children from the
Rites of Passage Foundation for Children, accompanied by
Mr. Ron Mtume Edwards, President of the Foundation.
(District-4.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A035-054.)

Mar-20-1989

ITEM-31: APPROVED

Approval of Council Minutes for the Meetings of:

2/13/89

2/14/89

2/20/89

2/21/89

2/21/89 Special Joint

2/23/89 Special Workshop

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A055-060.)

MOTION BY McCOLL TO APPROVE. Second by Pratt. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,
Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-not present.

ITEM-32: GRANTED HEARING

Matter of the request of The City of San Diego, by Frank
Belock, Jr., for a hearing of an appeal from the
decision of the Planning Commission in denying Planned
Industrial Development Permit, Hillside Review Permit and
Resource Protection Overlay Zone Permit, PID-87-1140 and
HRP/RPOZ-87-1140, proposing to develop 5 lots on 28.3 acres
with light industrial uses consistent with the M-IP Zone.

The site is located south of Aero Drive, east of Ruffin Road and west of Daley Circle Drive, in Zone R1-5000 (HR) and an unzoned portion, proposed for Zone M-IP, in the Serra Mesa Community Plan area. The subject property is further described as a portion of Lots 2, 5, 6, 7 and 8 of Block 4; and Lots 2, 3 and 5 of Block 15 of Rosedale Map-826; and a portion of Lemon Avenue between Blocks 4 and 5.

(PID & HRP/RPOZ-87-1140. District-5.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM - PID & HRP/RPOZ-87-1140

COUNCIL ACTION: (Tape location: A061-104.)

MOTION BY STRUIKSMA TO HEAR THE APPEAL AND TO SET THE DATE FOR APRIL 18, 1989. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-50: (O-89-168) ADOPTED AS ORDINANCE O-17261 (New Series)

Amending Ordinance O-17098 (New Series), as amended, entitled "An Ordinance Establishing a Schedule of Compensation for Officers and Employees of the City of San Diego for the Fiscal Year 1988-89", by amending Exhibit B to create and add a new class entitled, Senior Biologist in the Chemists Occupational Group; amending Exhibit A-2 of the Ordinance to provide a new salary rate number 80.4 for the position in the Classified Service; amending Resolution R-270952 to place the newly created class in the Supervisory Representation Unit; amending Resolution R-270951 to approve and declare the above newly created class as eligible for regular rate overtime by placing it in Group C of said overtime eligibility Resolution R-270951.

(Introduced on 2/27/89. Council voted 9-0.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A265-278.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

*** ITEM-51: (O-89-167) ADOPTED AS ORDINANCE O-17262 (New Series)**

Amending Ordinance O-17098 (New Series), as amended, entitled "An Ordinance Establishing a Schedule of Compensation for Officers and Employees of the City of San Diego for the Fiscal Year 1988-89" by amending Exhibit B, to create and add a new class entitled, Employee Benefits Specialist II, in the Management, Fiscal and Staff Occupational Group and retitle Employee Benefits Specialist, to read Employee Benefits Specialist I; amending said Ordinance to provide a new salary rate number 40.7 for said new position in the Classified Service; amending Resolution R-270952 to place the newly created classes in the No Representation Unit; amending Resolution R-270951 to approve and declare the above newly created classes as ineligible for overtime by placing them in Group F of said overtime eligibility; and amending Resolution R-271228 to authorize these classes to receive management benefits consistent with other unrepresented classes.

(Introduced on 2/27/89. Council voted 9-0.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A265-278.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT. Second by Filner. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

*** ITEM-52: (O-89-171) ADOPTED AS ORDINANCE O-17263 (New Series)**

Amending Ordinance O-17122 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1988-89 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-17122-1, as amended and adopted therein, to establish a special fund to be entitled "REGY Youth Incentive Fund," (No. 10591), said fund to earn and be credited with interest earnings in proportion to total earnings received by the City; authorizing the City Auditor and Comptroller to accept for deposit and to disburse monies from this fund, as directed.
(Introduced on 3/6/89. Council voted 8-0. District 5 not

present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A265-278.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT. Second by Filner. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

* ITEM-53: (O-89-154) ADOPTED AS ORDINANCE O-17264 (New Series)

Amending Chapter II, Article 8 of the San Diego Municipal Code by amending Sections 28.01 and 28.02, relating to Police Officers' uniforms, badges and insignias by adding an official Police Department patch to the restricted uniform items.

(Introduced on 2/27/89. Council voted 9-0.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A265-278.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT. Second by Filner. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

ITEM-54: (O-89-183) CONTINUED TO APRIL 11, 1989

Adoption of an Ordinance amending Chapter V, Article 3, of the San Diego Municipal Code, by adding Section 53.32, relating to the Prohibition of Sale or Possession of Assault Weapons.

(Introduced as amended on 2/27/89 with three changes:

(1) Supporting State Legislation; (2) Police Training;
(3) Returning of Weapons. Council voted 7-2. Districts 5
and 6 voted nay.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A188-262.)

MOTION BY McCOLL TO CONTINUE TO APRIL 11, 1989, AND TO DIRECT THE CITY ATTORNEY TO CHECK WITH THE SENATE AND ASSEMBLY TO MAKE THE ORDINANCE CONFORM TO THE REGULATIONS THAT WILL BE ADOPTED IN SACRAMENTO. Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

* ITEM-55:

Two actions relative to the regulation of nudity depicted in public newsracks and public places:
(Introduced on 2/27/89. Council voted 6-0. Districts 3, 4 and 5 not present.)

Subitem-A: (O-89-143) ADOPTED AS ORDINANCE O-17265 (New Series)

Amending Chapter V, Article 8, of the San Diego Municipal Code by amending Section 58.07 relating to Distribution of Harmful Material to Minors.

Subitem-B: (O-89-144) ADOPTED AS ORDINANCE O-17266 (New Series)

Amending Chapter VI, Article 2, of the San Diego Municipal Code, by amending Section 62.0902 and Section 62.0903, relating to Newsracks on Public Rights-of-Way.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A265-278.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT. Second by Filner. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-56: (O-89-163) ADOPTED AS ORDINANCE O-17267 (New Series)

Amending Chapter X, Article 3, Division 6, of the San Diego Municipal Code, by amending Section 103.0611, by adding a new Subsection 9, and by renumbering Subsections 9 through 13, relating to the North City West Planned District, to add medical offices to the uses permitted (Scripps Medical Offices.)

(Case-88-0505. North City West Community Area.
District-1. Introduced on 3/7/89. Council voted 7-0.
Districts-3 and 5 not present.)

FILE LOCATION: LAND - NORTH CITY WEST PLANNED DISTRICT

COUNCIL ACTION: (Tape location: A265-278.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT. Second by Filner. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-57: (O-89-142 Rev.1) ADOPTED AS ORDINANCE O-17268 (New Series)

19890320

Approving and adopting the Sixth Amendment to the Redevelopment Plan for the Columbia Redevelopment Project.

(Centre City Community Area. District-8. Introduced on 2/28/89. Council voted 7-0. Districts 1 and 7 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A265-278.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT. Second by Filner. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-58: (O-89-175) ADOPTED AS ORDINANCE O-17269 (New Series)

Adopting an Interim Ordinance requiring a Planned Residential Development Permit or Conditional Use Permit for most multi-family residential development, a Planned Commercial Development Permit for commercial development excluding minor additions or interior modifications and prohibiting the establishment, alteration or enlargement of a business with drive-thru facilities within the Golden Hill Community Plan area until the revised Golden Hill Planned District Ordinance is adopted and in effect. (Dists. 4 and 8.)

(Introduced on 3/7/89. Council voted 7-1. District 5 voted nay. Mayor not present.)

FILE LOCATION: LAND - GOLDEN HILL COMMUNITY PLAN

COUNCIL ACTION: (Tape location: A265-278.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT. Second by Filner. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-nay, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-100: (R-89-1554) ADOPTED AS RESOLUTION R-273026

Accepting the low bid of \$161,177.10 and awarding a

contract to University Mechanical and Engineering Contractors, Inc., dba University Service Co., for the Construction of the Heating, Ventilating and Air Conditioning Systems for the Museum of Man, Base Bid and Additive Alternate No. 1 and No. 2; authorizing the expenditure of an amount not to exceed \$69,600 from Department 532, Fund 100, Object Account 4213 to supplement funds previously authorized by Resolution R-271867, adopted on September 19, 1988, for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-9824)

(Balboa Park Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: A 9,500 square foot special exhibit and work area within the Museum of Man has an immediate need for a HVAC system. In FY88 the Museum contributed \$38,000 to install a separate system. General Services/Buildings Division budgeted \$62,000 to replace a leaking condensate line with asbestos present. The low bid received on this project - \$161,177.10 from University Service Company included Additive Alternate Nos. 1 and 2 in their base bid. Buildings Division recommends that this project be expanded to include additive Alternatives Nos. 1 and 2 which extends the chilled and hot water piping from Air Handler 5 to Air Handler 6, the installation of Air Handler 6 with associated ductwork for the Collection Storage Area. It also includes all work required for and associated with the water treatment system required by the HVAC system. The 62 percent increase in cost above the initial budget will include Additive Alternatives Nos. 1 and 2. The design allows for the addition of similar equipment to provide the Museum a complete HVAC system which will have adequate redundancy, low maintenance cost and low utility cost. Buildings Division has identified funds in the FY89 budget to allow for the enhanced contract to be let as bid by University Service Company, and will perform inspections in-house.

Aud. Cert. 8801052 Rev.

FILE LOCATION: CONT - UNIVERSITY MECHANICAL AND ENGINEERING
CONTRACTORS, INC. dba UNIVERSITY SERVICE CO.
CONT FY89-1

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-101: (R-89-1546) ADOPTED AS RESOLUTION R-273027

Accepting the low bid of \$47,677 and awarding a contract to Karma Construction Ltd. for the construction of a median island on Grand Avenue at Bond Street; authorizing the expenditure of funds not to exceed \$10,000 from Capital Outlay Fund 30245, CIP-61-002, Annual Allocation - New Traffic Signals, to supplement funds previously authorized by Resolution R-272606, adopted on January 9, 1989, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-0327/89)

(Mission Bay Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: This project will construct a median island on Grand Avenue preventing Bond Street traffic from crossing Grand Avenue. Council action, March 9, 1988 directed construction of this median in lieu of a traffic signal which was previously planned. This project will include new curbs, a storm drain and an inlet, and landscaping with an irrigation system. Bids were opened February 2nd, 1989 and the low bid of the six received was six percent above the estimate of \$45,000. Approval to award is requested, as an analysis of the bids leads staff to believe that readvertising will not result in a lower bid.

Aud. Cert. 8900739.

FILE LOCATION: CONT - KARMA CONSTRUCTION LTD. CONT
FY89-1

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-102: (R-89-1534) ADOPTED AS RESOLUTION R-273028

Awarding contracts for the purchase of miscellaneous police vehicles for a total combined cost of \$515,376.56, including tax, as follows:

1. Yucca Valley Ford for Section I, Item 3 - one Mercury Cougar LS and Item 19 - one Ford Thunderbird;
2. North County Lincoln Mercury for Section I, Item 1 -

- one Mercury Sable LS, 4-door and Item 2 - one Mercury Cougar LS;
3. Rancho Oldsmobile for Section I, Item 4 - one Oldsmobile Calais SL;
 4. Trevelyan Oldsmobile/Subaru Co. for Section I, Item 5 - one Oldsmobile 88 Royal, 4-door and Item 6 - one Oldsmobile Cutlass Supreme with 3.1 liter engine;
 5. Courtesy Chevrolet for Section I, Item 7 - one Chevrolet Celebrity;
 6. Bob Stall Chevrolet and Geo for Section I, Item 8 - one Chevrolet ZWD-S-10, Item 9 - one Chevrolet Camaro RS, Item 10 - one Chevrolet Camaro RS, Item 11 - one Chevrolet Astro Passenger Van LT, Item 12 - one Chevrolet Astro Passenger Van plus Sport Paint, Item 13 - one Chevrolet S-10 Blazer, 2-door "Sport," and Item 14 one Chevrolet C1500 Sportside;
 7. Pearson Ford for Section I, Item 15 - one Ford Crown Victoria LX, Item 18 - one Ford Taurus GL, Item 20 - one Ford Thunderbird, Item 21 - one Ford Thunderbird LX, Item 22 - one Ford Bronco and Item 23 - one Ford Bronco II;
 8. El Cajon Ford for Section I, Item 16 - one Ford Mustang GT and Item 25 - four Ford E-150 Vans;
 9. Meister Ford for Section I, Item 17 - one Ford Taurus LX;
 10. Drew Ford for Section 1, Item 24 - one Ford Van E-150 and Section II, Item 1 - one Ford Aerostar Wagon XL;
 11. University Ford for Section II, Item 2 - 7 Ford Aerostar Cargo Vans.
- Aud. Cert. 8900731.

FILE LOCATION: MEET CONT FY89-11

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-103: (R-89-1543) ADOPTED AS RESOLUTION R-273029

Awarding a contract to Cambridge Instruments for the purchase of one forensic bullet microscope-comparison and accessories for an actual cost of \$47,956.33, including tax. (BID-0407/89)
Aud. Cert. 8900743.

FILE LOCATION: MEET CONT FY89-1

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-104: (R-89-1556) ADOPTED AS RESOLUTION R-273030

Awarding a contract to U. P. Landscape Maintenance, Inc. for furnishing landscape maintenance of five fire stations (Fire Station 9, Fire Station 10, Fire Station 19, Fire Station 38, Fire Station 42), as may be required for a period of one year beginning April 1, 1989 through March 31, 1990, for an estimated annual cost of \$28,200, with options to renew the contract for four additional one-year periods, with price increases not to exceed 7 percent of prices in effect at the end of each prior year; declaring that in the event the contractor is unable to obtain the required insurance or bonding or is unable to perform in accordance with specifications, the Purchasing Agent is authorized to terminate the contract and to award to the next low responsible and responsive bidder, until a bidder is found who does perform to specifications. (BID-0408/89)
(Districts 1, 4, 5 and 7.)

FILE LOCATION: MEET CONT FY89-1

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-105: (R-89-1282) ADOPTED AS RESOLUTION R-273031

Awarding contracts for furnishing latex surgical gloves, as may be required for a period of six months beginning January 15, 1989 through July 14, 1989, an estimated cost of \$28,480.73, including tax and terms, with an option to renew the contracts for an additional six-month period, as follows: (BID-0363/89)

1. R. J. Supply Company for Item 1 - Surgical Gloves, 11 mil latex;
2. Biosafety Systems, Inc. for Items 2 and 3 - Surgical Gloves, 7 mil latex, sizes small and large.

FILE LOCATION: MEET CONT FY89-2

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-106: (R-89-1545) ADOPTED AS RESOLUTION R-273032

Awarding a contract to GMC Truck Center for the purchase of 4 water tankers, for a total cost of \$135,286.52, including tax and terms. (BID-0320/89)
Aud. Cert. 8900747.

FILE LOCATION: MEET CONT FY89-1

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-107: (R-89-1540) ADOPTED AS RESOLUTION R-273033

Awarding a contract to Sewer Equip. Co. of America for the purchase of 4 sewer rodding machines, for an actual cost of \$140,816.28, including tax. (BID-0348/89)
Aud. Cert. 8900734.

FILE LOCATION: MEET CONT FY89-1

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-108: (R-89-1541) ADOPTED AS RESOLUTION R-273034

Accepting the sole bid and awarding a contract to Fairbanks Morse Pump Corp. for the purchase of 4 replacement rotation units with spare impeller, complete, for Pump Station 65, for a total cost of \$34,727.92, including tax. (BID-0398/89)
Aud. Cert. 8900733.

FILE LOCATION: MEET CONT FY89-1

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-109: (R-89-1552) ADOPTED AS RESOLUTION R-273035

Awarding a contract to Carmenita Truck Center for the purchase of one beach refuse packer (Ford CT-8000 6x6 with Pak-Mor HR 224 Retriever Body), for a total cost of \$113,259.50, including tax and terms. (BID-0343/189)
Aud. Cert. 8900757.

FILE LOCATION: MEET CONT FY89-1

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-110: (R-89-1555) ADOPTED AS RESOLUTION R-273036

Awarding contracts for furnishing and delivering gasoline and diesel fuel, as may be required for a period of one year beginning April 1, 1989 through March 31, 1990, for an estimated cost of \$2,784,000, including tax and terms, with an option to renew the contracts for an additional one-year period, as follows: (BID-0436/89)

1. Cosby Oil Company, Inc. for Section I - Truck/Trailer Deliveries of Regular Unleaded Gasoline and Regular Leaded Gasoline;
2. Chevron U.S.A., Inc. for Section II - Truck/Trailer Deliveries of No. 2 Diesel Fuel;
3. Barnicle Oil Co. for Section III - Tank/Wagon Deliveries of Regular Unleaded Gasoline, Regular Leaded Gasoline and Premium Unleaded Gasoline; and for Section V - No. 1 Diesel Fuel;
4. San Diego Petroleum Corporation for Section IV - Tank/Wagon Deliveries of No. 2 Diesel Fuel.

Authorizing the Purchasing Agent to purchase gasoline and diesel fuel on the open market if the regular contracted suppliers are unable to deliver fuel in case of fuel shortages or for other reasons.

FILE LOCATION: MEET CONT FY89-4

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-111: (R-89-1560) ADOPTED AS RESOLUTION R-273037

Accepting the sole bid of \$129,213 and awarding a contract to Natkin Service Company for furnishing a gas fired chiller and related equipment; authorizing the expenditure of an amount not to exceed \$15,000 from Account 4922, Equipment and Furnishings, CIP-37-426, Planetarium Underground HVAC Piping Replacement, to supplement funds previously authorized by Resolution R-272466, adopted on December 12, 1988; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-0244/89)

(Balboa Park Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: Earlier Council action authorized the design and construction of a chilled water generating system at the Planetarium to replace an underground pipeline installed in 1970 which has developed leaks. Bids were taken on January 5, 1989 for the purchase of equipment needed for the system which may include long lead time items. The installation plans and specifications are being completed and will be bid separately. In discussions with Planetarium staff it was agreed to oversize some equipment to accommodate the planned Phase I expansion of this facility. The location and screening of the new equipment has also been reviewed and approved by Park committees, the Park and Recreation Board and EQD, who issued a Negative Declaration. SDG&E is providing a subsidy of \$56,000 to the project as an incentive for using a gas fired chiller vs. the electric drive type. A low profile screening structure will be installed which will also provide for security and weather protection. This installation will be made at the west end of the building adjacent to a lower level truck delivery area in space that will not impact on park usage. The project and funding was unanimously approved by the Planetarium Authority at its April 22, 1988 meeting. The Public Facilities and Recreation Committee considered this item on April 27, 1988 and concurred in its implementation. This action authorizes the expenditure of \$15,000 to supplement \$115,000 authorized December 12, 1988. The additional funds are necessary to fund the sole bid.

Aud. Cert. 8900745.

FILE LOCATION: MEET CONT FY89-1

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-112:

Two actions relative to the Construction of Sewer Main Replacement Group 61:
(Mission Beach Community Area. District-6.)

19890320

Subitem-A: (R-89-1547) ADOPTED AS RESOLUTION R-273038

Inviting bids for the Construction of Sewer Main Replacement Group 61 on Work Order No. 147139; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$985,000 from Sewer Revenue Fund 41506, CIP-44-001, Annual Allocation Sewer Main Replacements (contingent upon approval of the FY 1990 budget) for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-0497/89)

Subitem-B: (R-89-1548) ADOPTED AS RESOLUTION R-273039

Authorizing the use of City Forces to do all the work to make connections and perform operational checks as required in connection with the above construction; declaring that the cost of said work shall not exceed \$8,000.

CITY MANAGER SUPPORTING INFORMATION: The sewer main in Bayside Lane, Mission Beach has been experiencing numerous blockages and stoppages. It is on an accelerated rodding schedule. A recent in-house planning study has concluded that these below standard sewer mains in the Mission Beach area are currently flowing full and unable to serve the planned community development. Sewer Replacement Group 61 proposes to replace deteriorated sewer mains in and tributary to Bayside Lane. This project consists of the construction of 3,946 lineal feet of 15-inch, 10-inch, 8-inch and 6-inch sewer mains to replace existing deteriorated under-sized sewer mains. This project is part of the approved Accelerated Replacement Program for the Mission Bay area in an effort to reduce overflows into bay waters. This project is also included in the Regional Water Quality Control Board Compliance Schedule which mandates completion of Group 61 by August, 1990. On November 16, 1988, the Public Services and Safety Committee received the fifth Mission Bay Quarterly Status report addressing the progress of scheduled work for Mission Bay. With the inclusion of this project, 24.4 miles or 66 percent of the old concrete or below

standard sewer mains have been replaced or will be under construction. Completion of the program is scheduled for July 1993. City Force work is needed to make connections to Sewer Pump Stations 14 and 16, and make operational checks.

Aud. Cert. 9000010.

WU-P-89-091.

FILE LOCATION: SUBITEM A,B: W.O. 147139

CONT - Dorfman Construction Co., Inc. CONT FY89-1

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-113: (R-89-1544) ADOPTED AS RESOLUTION R-273040

19890320

Inviting bids for the Construction of South Crown Point Storm Drain on Work Order No. 119214; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$135,700 from Capital Outlay Fund 30245, CIP-22-068, South Crown Point Storm Drain, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-0496/89)

(Mission Bay Park Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: The Crown Point Shores area in Mission Bay Park is on the east side of Crown Point.

Currently there are two storm drains discharging into concrete ditches between Crown Point Drive and Corona Oriente Road. Water from the concrete ditches flows across Corona Oriente and into a grass swale in Crown Point Shores. The grass swale conveys the water to the beach. The transition between the beach and the grass swale erodes severely, requiring continual maintenance. This project will provide for an underground system located in the same alignment as the existing grass swale. This will eliminate the maintenance problem and create a safer condition than currently exists.

Aud. Cert. 8900720.

FILE LOCATION: W.O. 119214 CONT - Nottson Construction Co.

CONT FY89-1

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed

by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-114:

Two actions relative to the Construction of Alvarado Pipeline No. 2:
(East Mission Valley Community Area. District-7.)

19890320

Subitem-A: (R-89-1549) ADOPTED AS RESOLUTION R-273041

Inviting bids for the Construction of Alvarado Pipeline No. 2, Phase II-C on Work Order No. 148126; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to transfer \$329,225 within the Water Revenue Fund 41502 from the Unallocated Reserve 70679 to the Water Systems Construction Program 70592, CIP-73-166.1, Alvarado Pipeline No. 2 Phase II; authorizing the expenditure of funds not to exceed \$329,225 from Water Revenue Fund 41502 for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-0501/89)

Subitem-B: (R-89-1550) ADOPTED AS RESOLUTION R-273042

Authorizing the use of City Forces to do all the work to make connections and perform operational checks as required in connection with the Construction of Alvarado Pipeline No. 2, Phase II-C; declaring that the cost of said work shall not exceed \$45,000.

CITY MANAGER SUPPORTING INFORMATION: During the construction of Phase II(a) of the Alvarado Pipeline, the contractor encountered suspect areas of soil contaminated with hazardous material. Construction of 730 feet of pipeline through this area was deleted from the Phase II(a) contract with WAL-CON Construction and John M. Artukovich. Since suspension of the work, J. H. Kleinfelder and Associates, geotechnical and environmental consultants to the City, have conducted an environmental assessment of the suspect area, including chemical analysis for hazardous materials. J. H. Kleinfelder and Associates' findings detected no contaminated soil. The subject construction project is located in East Mission Valley in

Mission Gorge Road, bounded by Mission Gorge Place to the north and Interstate 8 to the south. The project includes installation of 730 linear feet of 48-inch welded steel pipe, to complete the last link of Alvarado Pipeline No. 2 which will supply additional water from the Alvarado Filtration Plant to the beaches and central areas of the City and will improve water supply to those areas.

Aud. Cert. 8900384.

WU-P-89-034.

FILE LOCATION: W.O. 148126 CONT - Drainage Construction Co., Inc.
CONT FY89-1

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-115:

Two actions relative to the Lake Murray Community Park Improvements - Phase III:
(Navajo Community Area. District-7.)

19890320

Subitem-A: (R-89-1557) ADOPTED AS RESOLUTION R-273043

Inviting bids for the Lake Murray Community Park Improvements - Phase III on Work Order No. 119205; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of an amount not to exceed \$228,925 (\$188,925 from Capital Outlay Fund 30245.3 and \$40,000 from Revenue Sharing Fund 18013) from CIP-29-665, Lake Murray Community Park - Phase III, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-0510/89)

Subitem-B: (R-89-1558) ADOPTED AS RESOLUTION R-273044

Certifying that the information contained in Environmental Negative Declaration END-80-06-67, dated September 11, 1980, issued in connection with the Lake Murray Community Park Improvements - Phase III, has been completed in compliance with the California Environmental Quality Act of

1970, and State guidelines, and that said Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: This project is the third phase of development at the Lake Murray Community Park located on Murray Drive in the Navajo Community. The project will replace existing facilities. Two backstops in existing infield areas will be removed and replaced with turf to create a passive picnic area. A group of youth league fields will be replaced with a 2.5 acre multi-sports field. All existing league activity will be accommodated by these improvements and other new improvement at San Carlos Community Park. The project is endorsed by a Community Task Force, chaired by the Councilmember from District 7.

Aud. Cert. 8900668.

FILE LOCATION: W.O. 119205 CONT - P & P Enterprises Inc.
CONT FY89-1

COUNCIL ACTION: (Tape location: A331-335; C476-479.)

MOTION BY McCARTY TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-116:

Two actions relative to the final subdivision map of La Jolla Palisades Unit No. 4, a 14-lot subdivision located at the southeasterly terminus of Rutgers Road and Moonlight Lane:
(La Jolla Community Area. District-1.)

Subitem-A: (R-89-1729) ADOPTED AS RESOLUTION R-273045
Authorizing the execution of a Subdivision Improvement Agreement with La Jolla Palisades Unit No. 4 for the installation and completion of public improvements.

Subitem-B: (R-89-1728) ADOPTED AS RESOLUTION R-273046
Approving the final map.

FILE LOCATION: SUBD - LA JOLLA PALLISADES UNIT NO. 4
CONT FY89-1

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-117: (R-89-1709) ADOPTED AS RESOLUTION R-273047

Authorizing the execution of an amendment to the Subdivision Improvement Agreement for Carmel Valley Village Unit No. 1 to provide for the substitution of MCISA Carmel Joint Venture, for Carlsberg Construction Company, as subdivider; declaring that the public improvements to be constructed shall be completed by December 5, 1989; accepting the Irrevocable Letter of Credit No. 09-012A-88ISA, issued by Imperial Savings Association, in the amount of \$1,507,752, as the surety for the required improvements; releasing Performance Bond No. SCR 709-68-16, issued by the American Insurance Company in the amount of \$1,507,752.

(North City West Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On September 8, 1986 the City of San Diego entered into an agreement with Carlsberg Construction Company for the construction of public improvements for Carmel Valley Village Unit No. 1. The agreement expired on September 8, 1988. The property is now owned by MCISA Carmel Joint Venture, a California general partnership. The new owner has signed an amended agreement to assume all of the obligations of the original subdivider and complete the required work. The amended agreement also provides for an extension of time to complete the work to December 5, 1989. The new subdivider has provided a Letter of Credit for the same amount as the original bond in the amount of \$1,507,752. The amended agreement and time extension are in accordance with Council Policy 600-21. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public.

FILE LOCATION: SUBD - CARMEL VALLEY VILLAGE UNIT NO. 1
CONT FY89-1

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-118: (R-89-1710) ADOPTED AS RESOLUTION R-273048

Authorizing the execution of an amendment to the Subdivision Improvement Agreement for Carmel Valley Village Unit No. 2, to provide for the substitution of MCISA Carmel Joint Venture, for the Carlsberg Construction

Company, as subdivider; completing the public improvements to be constructed by April 12, 1990; accepting the Irrevocable Letter of Credit No. 09-012A-88ISB, issued by Imperial Savings Association, in the amount of \$649,209 as the surety for the required improvements; releasing the Performance Bond No. 939360S, issued by Developers Insurance Company, in the amount of \$649,209.

(North City West Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On October 12, 1987 the City of San Diego entered into an agreement with Carlsberg Construction Company for the construction of public improvements for Carmel Valley Village Unit No. 2. The agreement expires on October 12, 1989. The property is now owned by MCISA Carmel Joint Venture, a California general partnership. The new owner has signed an amended agreement to assume all of the obligations of the original subdivider and complete the required work. The amended agreement also provides for an extension of time to complete the work to April 12, 1990. The new subdivider has provided a Letter of Credit for the same amount as the original bond in the amount of \$649,209. The amended agreement and time extension are in accordance with Council Policy 600-21. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public.

FILE LOCATION: SUBD - CARMEL VALLEY VILLAGE UNIT NO. 2
CONT FY89-1

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

*** ITEM-119:**

Two actions relative to the vacation of Benicia Street north of Friars Road:
(Linda Vista Community Area. District-6.)

Subitem-A: (R-89-1642) ADOPTED AS RESOLUTION R-273049

Vacating Benicia Street north of Friars Road adjacent to Parcel 2 of Parcel Map PM-10993, under the procedure for the summary vacation of streets where for a period of five consecutive years the street to be vacated has been impassable for vehicular travel and during such period no public money has been expended for maintenance; reserving

and excepting from the foregoing vacation the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public utilities of any kind or nature; reserving and excepting from the foregoing vacating the right, from vacation and abandonment, easements, and rights of any public utility; declaring that the easement reserved herein is in, under, over, upon, along and across Benicia Street.

Subitem-B: (R-89-1644) ADOPTED AS RESOLUTION R-273050

Approving the acceptance by the City Manager of an abutter's rights-of-access relinquishment deed of 5620 Group, relinquishing to the City those abutter's rights-of-access in and to Friars Road, adjacent and contiguous to Benicia Street as closed and vacated to public use.

CITY MANAGER SUPPORTING INFORMATION: The applicant has requested the subject vacation in order to utilize the area for an additional off-street parking area and to eliminate the need for an existing Encroachment Permit. The right-of-way was granted by subdivision in 1914. The reversionary rights to the right-of-way are vested entirely to the adjacent property owner. The subject vacation and the applicant's property are located in the Linda Vista Community Plan Area and are situated in a CO Zone. The area-of-vacation is approximately 4,655 square feet and will increase the residential entitlement of the applicant's property by three residential units. However, no residential use is anticipated since the applicant's property is currently developed for commercial office use and the vacation area will continue to be utilized for off-street parking. The Planning Department has no objection to the proposed vacation, and the Planning Commission recommended approval on January 7, 1988, by a 5-0 vote. The subject right-of-way is unimproved but contains public utilities and franchised facilities which require easement reservations. The area-of-vacation has a variable width of 18 feet at Friars Road and 20 feet at its northerly terminus and was granted by subdivision to provide partial right-of-way with the remainder to come from the property to the west. This westerly property is City-owned and is proposed for subdivision and sale. A tentative map has been approved for the City-owned property with no street development being proposed or required at this location. Therefore, the area-of-vacation is not required for access by the adjoining properties nor is it needed for future circulation. Curb and sidewalk exist along Friars Road at this location and no improvements are required as

a condition of this vacation. The applicant has recently fulfilled his obligation by constructing the required sidewalk. In addition, abutter's rights-of-access to Friars Road adjacent to the vacation are to be relinquished. Staff review has indicated that the right-of-way to be vacated is no longer required for present or prospective public use and may be summarily vacated.

FILE LOCATION: SUBITEM A: STRT J-2713, DEED F-4860;
SUBITEM B: DEED F-4861 DEED FY89-2

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-120: (R-89-1675) ADOPTED AS RESOLUTION R-273051

Approving the acceptance by the City Manager of that deed conveying to San Diego Gas and Electric Company an easement for electrical facilities, affecting a portion of Oaks Tract, Map-1415.

(San Pasqual Valley Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The Thomas Jaeger Winery, successor to the San Pasqual Winery, a City lessee, is making extensive upgrading of the winery. One of the projects is to improve the driveway access from San Pasqual Road, which requires relocation of a power pole and anchor to a safer location. This easement will permit the relocation.

FILE LOCATION: DEED F-4862 DEED FY89-1

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-121: (R-89-1659) ADOPTED AS RESOLUTION R-273052

Renaming 22nd Street (South Bay), located south of Coronado Avenue, Nestor Way; declaring that signage shall indicate both the old street name and the new street name for a period of one year following the adoption date of this Resolution, for the convenience of the general public; authorizing the installation and removal of the necessary signs and markings.

(Otay Mesa/Nestor Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The Transportation and Land Use Committee (T&LU) directed staff to offer property owners no-fee/no-cost street name changes for the numerically designated streets in the Otay Mesa/Nestor community. The name changes were suggested to eliminate confusion arising from the duplication of numerical street names in other parts of the City. The duplications have existed since 1950 when the Otay Mesa/Nestor area was annexed to the City. Pursuant to these offers, street name changes have been approved for Thermal Avenue, formerly 17th Street, and Saturn Boulevard, formerly 19th Street. A request for a name change has been received from the property owner on 22nd Street to change the name to Nestor Way. Only three properties would be affected by the change, and these properties are under one ownership. Staff, therefore, recommends that 22nd Street be renamed Nestor Way. The Engineering and Development Department has completed the canvass of the other streets in the area which have duplicate numerical designations. Over a two-month period, approximately one-half of those notified responded. The returned forms indicated a ratio of 2:1 against any name changes. No additional action is anticipated.

FILE LOCATION: DEED F-4863 DEED FY89-1

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-122: (R-89-1648) ADOPTED AS RESOLUTION R-273053

Approving the recommendation to support H.R. 570 (Bates), as set forth in Intergovernmental Relations Department Report IRD-89-12, regarding the authorization of funding for planning and construction of wastewater treatment works necessary for providing secondary sewage treatment for the City of San Diego and surrounding communities.

(See Intergovernmental Relations Department Report IRD-89-12.)

COMMITTEE ACTION: Reviewed by RULES on 2/15/89.

Recommendation to approve the Intergovernmental Relations Department's recommendation to support HR 570. Districts 2, 3, 6 and 7 voted yea. District 4 and Mayor not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed

by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-123: (R-89-1504) ADOPTED AS RESOLUTION R-273054

Directing the City Manager to modify Administrative Regulation 1.60, Capital Improvements Programming, to:

1. Provide status reports in December and March of each year on only those Capital Improvements Projects which will not meet the Council approved schedules for expenditure of funds in the current year; and
2. Establish a report in September of each year on all projects with appropriations continued from the previous year.

(See City Manager Report CMR-89-61.)

COMMITTEE ACTION: Reviewed by RULES on 3/1/89.

Recommendation to approve the City Manager's recommendations. Districts 2, 3, 4, 6 and Mayor voted yea. District 7 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-124: (R-89-1656) ADOPTED AS RESOLUTION R-273055

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$17,476 from CIP Unallocated Reserve Fund 302453 to CIP-35-0490, Otay Mesa Library, for the purpose of offsetting the project deficit.

(Otay Mesa/Nestor Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: This action will transfer \$17,476 into the Otay Mesa Branch Library account to reconcile a deficit and close out the project. The City accepted this project in September 30, 1986 which was 410 days after the contract completion date. Liquidated damages were assessed in the amount of \$41,000 as well \$6,084 in penalties. The contractor commenced litigation for damages which was resolved in November 1988. The City Attorney negotiated a settlement releasing the \$47,084 withheld from the contractor but prohibited them from bidding on City projects for a period of three years. The City's engineering costs for inspection and

contract administration continued during the 410 day construction period overrun. Additional engineering time was also required due to problems with various building components and in assisting the City Attorney in gathering and reviewing the project records. The settlement and release of funds to the contractor has resulted in the deficit of \$17,476.

Aud. Cert. 8900676.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-125: (R-89-1647) ADOPTED AS RESOLUTION R-273056

Authorizing the City Manager to submit to SANDAG a request to decrease their previous funding allocation for the construction of the Tecolote Canyon Bike path; authorizing the City Manager to request that SANDAG reallocate \$13,000 in Local Transportation Funds (LTF) previously allocated to the Tecolote Canyon bike path project, to a feasibility study of the construction of a bike path along the Santa Fe Railroad right-of-way between the Santa Fe Railroad Station in Centre City and Oceanside.

(University, Torrey Pines, Old San Diego, Pacific Highway, Mira Mesa, Linda Vista, Mission Valley, Clairemont Mesa, and Centre City Community Areas. Districts-1, 2, 5, 6 and 8.)

CITY MANAGER SUPPORTING INFORMATION: Local Transportation Funds (LTF) are derived from 1/4 cent from the 6 cents retail sales tax collected statewide. The 1/4 cent is returned by the State Board of Equalization to San Diego County according to the amount of retail sales taxes collected here. Two percent of the LTF monies are set aside for non-motorized transportation projects. The LTF program is administered by SANDAG whose Bicycle Facilities Committee makes funding allocation recommendations based upon individual project merit. In FY 1985 SANDAG allocated \$103,000 in LTF for the design and construction of the Tecolote Canyon Bike Path. On October 10, 1988, the City Council voted to defund the Tecolote Canyon Bike Path project. Staff is recommending that Council authorize the City Manager to (1) delete the Tecolote Canyon Bike Path project from the Capital Improvement Plan, and (2) request that SANDAG reallocate \$13,000 of the \$103,000 originally allocated to the Tecolote

Canyon project to fund a feasibility study of a coastal corridor bike path along the Santa Fe Railroad right-of-way between Centre City and Oceanside. The purpose of the study would be to determine if it would be feasible to incorporate a bicycle facility within the railroad right-of-way.

Aud. Cert. 8900683.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-126: (R-89-1735) ADOPTED AS RESOLUTION R-273057

Authorizing the City Manager to execute an agreement with San Diego Crew Classic, Inc. to conduct the San Diego Crew Classic Rowing Regatta for 1989, and to charge for parking and admission at Crown Point Shores and use any excess of receipts or expenditures for the 1989 event for costs incurred in connection with future Crew Classic operations.

(See City Manager Report CMR-89-102.)

COMMITTEE ACTION: Initiated by PFR on 3/8/89. Recommendation to authorize the City Manager to execute a one-year agreement and authorize the San Diego Crew Classic Rowing Regatta to charge for parking and admission at Crown Point and to approve any excess receipts over expenditures for future Crew Classic operations. Districts 1, 5, 6 and 7 voted yea. District 8 not present.

FILE LOCATION: MEET CONT FY89-1

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-127: (R-89-1746) ADOPTED AS RESOLUTION R-273058

Authorizing the City Manager to waive the ten percent rental fee on \$1.50 tickets sold on the night of the exhibition baseball game between the San Diego Padres and San Diego State University to be played on March 30, 1989.

CITY MANAGER SUPPORTING INFORMATION: On February 17, 1989, the San Diego Padres requested permission to waive the ten

percent rental fee on \$1.50 tickets sold on the night of the game for the tenth annual exhibition baseball game with San Diego State University on March 30, 1989. All tickets distributed prior to the game will be free of charge. The Padres plan to donate all net revenues from the game to the San Diego State University baseball program. The City's game expenses will be offset by the City's share of parking revenues. This is the same formula approved by the City Council since 1984. At the March 2, 1989 San Diego Stadium Authority Board of Governors meeting, the Board unanimously recommended approval of this action.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-128: (R-89-1721) ADOPTED AS RESOLUTION R-273025

Proclaiming March 16th, 1989 as "Ruby Williams Day" in the City of San Diego, in honor of his 101st birthday.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-129: (R-89-1696) ADOPTED AS RESOLUTION R-273059

Declaring the month of April 1989 to be "Scout Month" in honor of the San Diego County Council, Boy Scouts of America, on the occasion of its 75th Anniversary; urging all citizens to join in paying tribute to the San Diego County Council, Boy Scouts of America for the great contributions it has made to our City, our communities, our nation as a whole, and especially to the youth of America.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-130: (R-89-1705) ADOPTED AS RESOLUTION R-273060

Authorizing Suggestion Awards to the following City employees:

Donna Klimas - Treasurer's Department - \$236.39

Hadrian Liberatore, Jr. - Fire Department - \$90.

Albert D. Johnson - Purchasing Department - \$80.

Kenneth McLaughlin - Fire Department - \$50.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-131: (R-89-1665) ADOPTED AS RESOLUTION R-273061

Excusing Council Member Ed Struiksma from attending the Public Facilities and Recreation Committee meeting of Wednesday, February 8, 1989, to attend the SANDAG National Association of Regional Councils Annual Briefing in Washington, D.C.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-132: (R-89-1689) ADOPTED AS RESOLUTION R-273062

Excusing Council Member Ed Struiksma from attending the Council meeting of Monday, January 30, 1989, due to personal illness.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-133: (R-89-1661) ADOPTED AS RESOLUTION R-273063

Establishing a parking time limit of 2 hours between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain

holidays excepted, on the north side of Grand Avenue between 1020 Grand Avenue and Cass Street; authorizing the installation of the necessary signs and markings; declaring that the hereinabove imposed regulations shall become effective upon the installation of such signs.

(Pacific Beach Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: This proposed 2-hour time limit zone on Grand Avenue was petitioned by the property owners representing 100 percent of the affected frontage.

Recent parking studies in the area have shown that 2 hour time limit zones are needed at this location. The adjacent street, Cass Street, is posted with 2-hour parking which receives a high level of enforcement. We recommend that this request for 2 hour parking be implemented.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-134: (R-89-1664) ADOPTED AS RESOLUTION R-273064

Establishing a parking time limit of 2 hours between the hours of 8:00 a.m. and 6:00 p.m., Saturdays, Sundays and certain holidays excepted, on both sides of Grand Avenue between Bayard Street and Cass Street; authorizing the installation of the necessary signs and markings; declaring that the hereinabove imposed regulations shall become effective upon the installation of such signs.

(Pacific Beach Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: This proposed 2-hour time limit zone on Grand Avenue was petitioned by the property owners representing 92 percent of the abutting property. A parking and duration survey indicated that the average occupancy and average duration is 87 percent and 4.5 hours, respectively.

This meets the requirements of Council Policy 200-4 for the establishment of a 2-hour time limit parking zone.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-135: (R-89-1634) ADOPTED AS RESOLUTION R-273065

Authorizing the execution of a service agreement with the County of San Diego to provide the County of San Diego with partial staffing to implement the Hazardous Materials Storage and Emergency Response Law: Waters Bill.
(See City Manager Report CMR-88-258.)

CITY MANAGER SUPPORTING INFORMATION: On June 6, 1988, the Council authorized the Fire Department to expand their hazardous materials inspection (CEDMAT) program; establish a new fee structure to recover full program costs; and to enter into a service agreement with the County of San Diego under which the City will provide the County with partial staffing for plan check and inspection services related to the implementation of the Hazardous Materials Storage and Emergency Response Law, known as the Waters Bill (ref: CMR-88-258). The Waters Bill requires businesses to disclose hazardous materials in storage and use to the County Health Department which is designated by law as the Administering Agency. Pursuant to Council action, the Fire Department has completed the program expansion and re-structured the fee schedule to recover full program costs. City and County staff have developed a Service Agreement in which the City will provide support to the County in the form of:

- 1) One full-time Fire Prevention Inspector II to plan check Business Plans, and;
- 2) 2.35 Fire Prevention Inspectors to conduct safety inspections.

This agreement will also reimburse the City for services provided temporarily since July 1, 1988.

FILE LOCATION: MEET CONT FY89-1

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-136: (R-89-1639) ADOPTED AS RESOLUTION R-273066

Authorizing the execution of a 5-year license agreement with the Department of the Navy allowing the City to use the communication facility on Mt. Soledad, at a rental rate of \$12,300 a year.

(La Jolla Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On August 18, 1950, the

City Manager executed an agreement between the City and the Department of the Navy for a term of 37 years, allowing the City to install, maintain and operate radio communication equipment on Mount Soledad at no cost to the City. The Navy, in accordance with current governmental regulations, now proposes to issue to the City a five-year license effective October 1, 1987 at a market value rental rate of \$12,300 a year for the term. The rental rate was established by the Navy surveying the marketplace and the rate is considered reasonable for this facility. The City occupies approximately 550 square feet of building area and various antenna sites for its receiving and transmitting equipment on Mount Soledad. The Mt. Soledad site is considered a primary link in the City's radio communication system.

Aud. Cert. 9000011.

FILE LOCATION: LEAS - DEPARTMENT OF THE NAVY, MT. SOLEDAD
LEAS FY89-1

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-137: (R-89-1625 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-273067

19890320

Authorizing the execution of an agreement with O.N.A., Inc., for professional services required for CIP-29-403, Roadrunner Neighborhood Park, and CIP-29-672, Scripps Miramar Ranch Neighborhood Park; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$1,500 from Park Service District Fund No. 11340 to CIP-29-403, Roadrunner Neighborhood Park; authorizing the expenditure of an amount not to exceed \$100,200 consisting of \$26,500 from CIP-29-403, Roadrunner Neighborhood Park, PSD Fund No. 11340, and \$73,700 from CIP-29-672, Scripps Miramar Ranch Neighborhood Park, PSD Fund No. 11231, for the purpose of providing funds for the above services; authorizing the City Auditor and Comptroller, upon advice from the administering department, to remit unexpended funds, if any, to the appropriate reserves.
(Scripps Miramar Ranch and Tierrasanta Community Areas. Districts-5 and 7.)

CITY MANAGER SUPPORTING INFORMATION: The proposed agreement with O.N.A., Inc., will provide the professional services required for two neighborhood park projects. Roadrunner Neighborhood Park, CIP-29-403, will provide turf and an automatic irrigation system for the Farb Middle School playground. Farb Middle School is adjacent to Roadrunner Neighborhood Park and this project will provide a 4 acre multi-purpose sports field for use by the public during non-school hours. The site is located on La Cuenta Drive in the Tierrasanta Community. Scripps Miramar Ranch Neighborhood Park, CIP-29-672, will provide an approximately 4 acre passive use park on an approximately 11 acre undeveloped hilltop site. The park is located east of Lake Miramar in the Scripps Miramar Ranch Community. The consultant for these two projects was selected in accordance with Council Policy 300-7. The Park and Recreation Department interviewed three firms from the "Services As-Needed" list of landscape architects. This list was prepared at the June 22, 1988 meeting of the Design Consultant Nominating Committee. The City Manager received recommendations from the Park and Recreation Department and has selected O.N.A., Inc., for this project.

Aud. Cert. 8900687.

FILE LOCATION: MEET CCONT FY89-1

COUNCIL ACTION: (Tape location: A108-187; A306-326.)

MOTION BY McCARTY TO CONTINUE TO APRIL 3, 1989, THE ROADRUNNER NEIGHBORHOOD PARK PORTION OF THE ITEM TO REVIEW WITH THE DEVELOPER AND STAFF. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

CONSENT MOTION BY HENDERSON TO ADOPT SCRIPPS MIRAMAR RANCH NEIGHBORHOOD PARK. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-138: (R-89-1719) ADOPTED AS RESOLUTION R-273068

Authorizing the execution of an agreement consenting to the delegation from MAAS Diagnostic Laboratories to Smith Kline Bioscience Laboratory of its duties to provide, on an as required basis, police initiated blood drawing services for law enforcement purposes from April 1, 1988 through March 31, 1989, with options for four year extensions; authorizing the City Auditor and Comptroller to expend

funds on an as required basis.

CITY MANAGER SUPPORTING INFORMATION: The City is currently contracting with MAAS Diagnostic Laboratories (MDL) to perform blood-drawing services for the Police Department. The division of MAAS which performs this service is being purchased by Smith Kline BioScience Laboratory (SKBL). Smith Kline is fully competent to perform this service and has agreed, as a condition of purchase, to assume MDL's contractual obligations to the Police Department. There will be no change in the service level or cost to the Police Department. This Council action will authorize the City Manager to reassign the blood-drawing services from MAAS Diagnostic Laboratories to Smith Kline BioScience Laboratory.

FILE LOCATION: MEET CONT FY89-1

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-139: (R-89-1657) ADOPTED AS RESOLUTION R-273069

Approving Change Order No. 1, dated January 24, 1989, issued in connection with the contract with Mur-Vic Construction Company, Inc., for the City Heights Block Grant and Sewer Main Replacement Contract No. 7, amounting to a net increase in the contract price of \$20,461.90; authorizing the City Auditor and Comptroller to expend \$8,654.42 from Fund No. 18518, Dept. No. 5613, Org. No. 1301 for the purpose of executing Change Order No. 1, for the improvement of City Heights Block Grant Alley and Sewer Main Replacement, Contract No. 7.

(Mid-City Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: On July 11, 1988, Council awarded City Heights Block Grant Alley and Sewer Main Replacement Contract No. 7 to Mur-Vic Construction Co., Inc. This request for a Change Order No. 1 will reconcile the final work quantities for the project and allow for the extra work of pumping and reinforcing the concrete in one of the alleys which was underlain with unsuitable foundation material. It was necessary to place the concrete by pumping to prevent heavy concrete trucks from sinking into the subgrade and breaking existing utilities. Wire mesh reinforcement was laid to insure the integrity of the concrete over the poor subgrade. This alley was improved many years ago by assessment district and was

in deteriorated condition, therefore, the full cost will be paid for by the City as previously approved by Council.

Aud. Cert. 8900686.

FILE LOCATION: STRT D-2271 CONT FY89-1

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-ineligible, Pratt-yea, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-140: (R-89-1692) ADOPTED AS RESOLUTION R-273070

Approving Change Order No. 9, dated September 14, 1988, issued in connection with the contract with Engicon Corporation, for the construction of the Central Control Building at the Point Loma Wastewater Treatment Plant; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$5,150 within the Sewer Revenue Fund, No. 41506, from the Unallocated Reserve, No. 70697, to the Annual Allocation Point Loma Wastewater Treatment Plant, CIP-46-119.0, Program No. 70292; authorizing the expenditure of an amount not to exceed \$5,150 from the Sewer Revenue Fund, No. 41506, CIP-46-119.0, Annual Allocation Point Loma Wastewater Treatment Plant, for the purpose of providing funds to execute the above change order; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: On April 16, 1987, the City Manager approved a previously authorized project for \$797,000 to remodel the Central Control Building at the Wastewater Treatment Plant. Change Order No. 9 is for the removal of old roofing material. The original contract did not call for removal of the existing roofing material and insulation. The Project Manager requested that these materials be removed before installing the new roofing material. Under Change Order No. 9 the contractor was also asked to construct a handhole and stubup at Power Station No. 3. The change was required to allow the work on the Power Center's upgrade contract to proceed without delay which, if not performed, would have adversely affected the start-up of the Headworks Expansion project. This request is for the authorization and financing for Change Order No. 9. Change Orders No. 1 through No. 8 have

been previously approved for a total of \$46,147.79 or 7.1 percent of the contract. The cost of this change order is not available from contingency funds.

Aud. Cert. 8900724.

WU-U-89-012.

FILE LOCATION: CONT - ENGICON CORPORATION CONT
FY89-1

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-150: (R-89-1720 Rev.1) ADOPTED AS AMENDED AS RESOLUTION R-273071

19890320

Adopting the 1989 Priorities submitted by the Mayor of the City of San Diego and approved by the Rules Committee on March 1, 1989.

(See memorandum from Mayor O'Connor dated 1/18/89.)

COMMITTEE ACTION: Initiated by RULES on 3/1/89. Recommendation to approve the 1989 Priorities submitted by Mayor O'Connor, and forward to the full City Council for adoption. Districts 2, 3, 4, 6 and Mayor voted yea. District 7 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A340-468.)

MOTION BY FILNER TO ADOPT AS AMENDED ADDING TO THE PRIORITIES LIST "CONTRACT WATER" UNDER PUBLIC SERVICES AND SAFETY (PS&S), AND "PARKS" UNDER REGIONAL ISSUES AS PROPOSED BY COUNCIL MEMBER WOLFSHEIMER. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-151: (R-89-1769) REFERRED TO RULES COMMITTEE

Requesting that the Federal Government postpone the proposed construction of the Border Security Enhancement and Storm Water Drainage Project, and that immediate negotiations with Mexico and San Diego begin.

(San Ysidro Community Area. District-8.)

COMMITTEE ACTION: Initiated by RULES on 3/1/89 as a Communication by Council Member Ron Roberts, who indicated that

he would like the City Council to consider a resolution in opposition to the proposed construction of a Border Security Enhancement Project, commonly referred to as a "border ditch", along the San Diego/Tijuana border. The RULES Committee referred the issue to the full City Council for deliberation.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A525-C432.)

MOTION BY ROBERTS TO REFER THE MATTER TO THE RULES COMMITTEE FOR A FULL HEARING AND TO DIRECT STAFF TO SEND LETTERS ON OFFICIAL LETTERHEAD WITH THE MAYOR'S SIGNATURE TO I.N.S., AND THE INTERNATIONAL BOUNDARY AND WATER COMMISSION REQUESTING DESIGNATED REPRESENTATIVES TO APPEAR AT THE RULES COMMITTEE TO MAKE A PRESENTATION REGARDING THE PROPOSAL AS IT RELATES TO THE BORDER ENHANCEMENT AND STORM WATER DRAINAGE PROJECT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-200: (O-89-11) INTRODUCED AND ADOPTED AS ORDINANCE
O-17270 (New Series)

Introduction and adoption of an Ordinance amending Ordinance O-17122, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1988-89 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by increasing the Capital Improvements Program by adding \$700,300 to CIP-52-363.0, Front Street and First Avenue Extension to Harbor Drive. (BID-0478/89)

(Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: This project provides for the extension of Front Street and First Avenue from Island Avenue to Harbor Drive to improve access to the Convention Center. The proposed improvements will provide new one-way, three lane, 40 foot concrete streets; provisions for bus accommodations; 20 foot sidewalk areas on each side; street lighting; drainage facilities; traffic signals at Front Street/Harbor Drive and First Avenue/Harbor Drive; Front Street/"G" Street; and revisions of traffic signals at Front Street/Market Street; First Avenue/Market Street; a rubberized at-grade crossing over AT&SF railroad track; concrete at-grade crossing over Metropolitan Transit Development Board (MTDB) tracks; and reconstruction of the Marriott Hotels entrance and exit to align with the new Harbor Drive intersections. The agreement with MTDB will provide that MTDB construct the

proposed street improvements in conjunction with their LRT track realignment. In addition, MTDB would, under their contract with AT&SF, have a rubberized crossing installed at the AT&SF track. These construction costs would be reimbursed by the City and shall not exceed \$220,000. CCDC has requested that this project be expanded to complete the ultimate curb and street improvements between Island Avenue and Market Street to compliment their future developments. In addition, CCDC will participate in the construction of the traffic signals on Harbor Drive. The total cost of this additional work is estimated at \$700,300 and would be paid by CCDC.

Aud. Cert. 8900674.

FILE LOCATION: MEET FY89-1

COUNCIL ACTION: (Tape location: A306-326.)

MOTION BY HENDERSON TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (O-89-184) HEARING HELD

First public hearing in the matter of:

Amending Ordinance O-17122 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1988-89 and Appropriating the Necessary Money to Operate the City of San Diego for Said Fiscal Year" by amending Document No. 00-17122-1, as amended and adopted therein, by reducing the Capital Improvements Program in the amount of \$300,000, said sum to come from Capital Outlay Fund No. 30244, from CIP-37-028, and reducing the sales tax allocation in the Capital Outlay Fund 30244 by \$300,000; directing the Auditor and Comptroller to increase the sales tax allocation to the General Fund 100 by \$300,000, and allocate said \$300,000 to the Unallocated Reserve (605), transfer the sum of \$300,000 from the Unallocated Reserve (605) to the Allocated Reserve (901) and expend said funds for the purpose of defraying expenses in the matter of Southern California Edison/San Diego Gas and Electric Proposed Merger.

Aud. Cert. 8900758.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A306-326.)

MOTION BY HENDERSON TO APPROVE THE HEARING. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-202: (R-89-1595) CONTINUED TO APRIL 17, 1989

(Continued from the meeting of February 28, 1989, Item 334,
at the City Manager's request, for further review.)
Rescinding Resolution R-272196 adopted on October 25, 1988,
relating to the confirmation of costs against Tax
Assessors Parcel Numbers 577-280-01 and 577-321-01 in
the amount of \$4,469, for weed abatement; confirming the
cost of weed abatement against Tax Assessors Parcel Numbers
577-280-01 and 577-321-01 in the total amount of \$4,469 to
be apportioned against each parcel at the sum of \$2,234.50
per parcel, pursuant to the provisions of Sections 54.0201
through 54.0206 of the San Diego Municipal Code, and after
a public hearing held this date, the property owners having
been duly noticed; authorizing the City Manager to waive
the City's administrative fee of \$1,809.95; authorizing the
Fire Chief to bill the property owner for the costs of weed
abatement hereby confirmed.

(See City Manager Report CMR-89-73.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A108-187.)

MOTION BY ROBERTS TO CONTINUE TO APRIL 17, 1989, AS REQUESTED BY
THE CITY MANAGER ON BEHALF OF STONE DEVELOPMENT COMPANY. Second
by McColl. Passed by the following vote: Wolfsheimer-yea,
Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-203:

Seven actions relative to the Calle Cristobal Assessment
District No. 4013 (Municipal Improvement Act of 1913):
(See City Manager Report CMR-89-116. Mira Mesa Community
Area. District-5.)

Subitem-A: (R-89-1683) ADOPTED AS RESOLUTION R-273072
Adopting a map showing the proposed boundaries of the
assessment district.

Subitem-B: (R-89-1687) ADOPTED AS RESOLUTION R-273073
Declaring the intention to order the construction of
improvements; declaring the work to be of more than local
or ordinary benefit; describing the District to be assessed

to pay the costs and expenses; and providing for the issuance of bonds.

Subitem-C: (R-89-1686) ADOPTED AS RESOLUTION R-273074

Giving preliminary approval of the Report of the Engineer, and setting a time and place for a public hearing.

Subitem-D: (R-89-1682) ADOPTED AS RESOLUTION R-273075

Recertifying the information contained in EIR-86-0449 for Assessment District proceedings in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and certifying that the information has been reviewed and considered by the Council.

Subitem-E: (R-89-1684) ADOPTED AS RESOLUTION R-273076

Approving and authorizing the execution of the Acquisition/Financing Agreement with Newland California and the Acquisition/Financing Agreement with the Douglas Allred Company; increasing the Assessment District Reimbursement Agreements with Lusk/Smith Mira Mesa North, Genstar Development, Inc., and the Fieldstone Company by \$29,310, \$375,063, and \$138,410 respectively; approving and authorizing the execution of the First Amendment to Agreement for Assessment Engineering Services with Willdan Associates; approving and authorizing the execution of the Second Amendment to Agreement for Financial Consulting Services with Kadie Jensen, Johnson and Bodnar; approving and authorizing the execution of the Second Amendment to Agreement for Engineering Services with VTN, Inc.

Subitem-F: (R-89-1688) ADOPTED AS RESOLUTION R-273077

Directing the call for construction bids.

Subitem-G: (R-89-1685) ADOPTED AS RESOLUTION R-273078

Authorizing the expenditure of \$1,700,000 from Fund No. 79006, Revenue Account No. 73460, Mira Mesa Facilities Benefit Assessment, as a contribution to pay costs and expenses.

Aud. Cert. 8900764.

FILE LOCATION: STRT D-2258

COUNCIL ACTION: (Tape location: C433-464.)

MOTION BY STRUIKSMA TO ADOPT THE RESOLUTION OF INTENTION; ADOPT THE MAP SHOWING THE DISTRICT BOUNDARIES; GIVE PRELIMINARY APPROVAL OF THE ENGINEERING REPORT AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING; RECERTIFYING THE ASSESSMENT DISTRICT

EIR-86-0449; APPROVING THE ACQUISITION FINANCING AGREEMENTS, INCREASES IN ASSESSMENT DISTRICT REIMBURSEMENT AGREEMENTS, AND AMENDMENTS TO CONSULTANT AGREEMENTS AS LISTED IN SUBITEM-E OF ITEM 203; DIRECT A CALL FOR CONSTRUCTION BIDS; AND AUTHORIZE THE EXPENDITURE OF 1.7 MILLION FROM THE MIRA MESA FBA AS A CONTRIBUTION TO PAY COSTS AND EXPENSES. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-204: (R-89-1716) ADOPTED AS RESOLUTION R-273079

Confirming the appointment of Council Member Ron Roberts as the City Council representative to the San Diego County Regional Parks, Wildlife and Open Space Bond Act of 1990 Work Group.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-205: (R-89-1744) ADOPTED AS RESOLUTION R-273080

Confirming the following appointments by the Mayor to serve as members of the County Water Authority Board, for terms ending as shown:

(See memorandum from Mayor O'Connor dated 3/8/89 with resume attached.)

NAME	TERM EXPIRES
Paul Peterson (Reappointment)	October 27, 1994
Michael E. Parrish	February 24, 1995

(To replace Craig Andrews, whose term has expired.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A475-518.)

MOTION BY FILNER TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-206: (R-89-1660) ADOPTED AS RESOLUTION R-273081

Authorizing the execution of a first amendment to the

agreement with Ralph Bradshaw/Richard Bundy and Associates, for professional services required to design and construct Scripps Miramar Ranch Branch Library; authorizing the City Auditor and Comptroller to transfer \$64,000 from the Scripps Miramar Ranch Public Facilities Impact Fee Fund No. 39058 to CIP-35-060.0, Scripps Miramar Ranch Branch Library; authorizing the expenditure of an amount not to exceed \$64,000 from CIP-35-060.0, Scripps Miramar Ranch Public Facilities Impact Fee Fund No. 39058 for the purpose of providing funds for the execution of the above first amendment to the agreement.

(Scripps Miramar Ranch Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: This proposed amendment to the agreement with Ralph Bradshaw/Richard Bundy and Associates will provide the professional services required to design and construct a 20,000 square foot Library which includes a 5,000 square foot Community Meeting Room. Council earlier had authorized the consultant to provide a master plan for a 20,000 square foot facility and to proceed with an expandable 10,000 square foot Library since total project funding was not yet available. Now that funding is available through the Miramar Ranch North Development Agreement the larger project is possible. This branch Library will serve both the Scripps Miramar Ranch and Miramar Ranch North Communities. It will replace the existing storefront Library in Scripps Ranch. Also included with the Library is an 8.2 acre improved area around an existing pond complete with landscaping, pathways, benches and other public amenities. This project is identified in and is consistent with the Scripps Miramar Ranch Community Plan and is in accordance with the City's General Plan Guidelines.

Aud. Cert. 8900680.

FILE LOCATION: MEET CCONT FY89-1

COUNCIL ACTION: (Tape location: A306-326.)

MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-207: (R-89-1629) ADOPTED AS RESOLUTION R-273082

(Continued from the meeting of March 7, 1989, Item 333, at Council Member Henderson's request, to allow time for the City Attorney's staff to meet with the applicant and review the findings.)

In the matter of making appropriate findings in connection

with the granting of a variance for side yard setback and a satellite permit, as contained in Sycamore/San Diego Investors v. City of San Diego and Sorrento Valley Industrial Partners and Qualcomm, Inc., as Real Party in Interest.

FILE LOCATION: ZONE - ZONING APPEALS C-19865

COUNCIL ACTION: (Tape location: C480-D419.)

MOTION BY HENDERSON TO ADOPT THOSE FINDINGS IN THE RESOLUTION AS PRESENTED BY QUALCOMM, INC. Second by Roberts. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

ITEM-208: (R-89-1741) CONTINUED TO APRIL 18, 1989

Approving maps showing where sensitive biological resources or significant prehistoric resources (Resource Protection Ordinance Clear Area Maps) are expected to be located, in order to facilitate the implementation of the Resource Protection Ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A158-187; E330-F030.)

MOTION BY ROBERTS TO CONTINUE TO APRIL 18, 1989, AND STAFF IS DIRECTED TO ISSUE INVITATIONS THROUGH THE COMMUNITY PLANNING COMMITTEE (CPC) TO HAVE THE COMMUNITY PLANNING GROUPS COME TO CITY HALL TO REVIEW THE MAPS. STAFF IS DIRECTED TO OBTAIN AN OFFICIAL RESPONSE FROM THE CHAIRPERSON OF EACH GROUP REGARDING AS TO WHETHER OR NOT THEY HAVE SEEN THE MAPS AND WHETHER OR NOT THEY HAVE CONCERNS. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-209: (O-89-172) INTRODUCED, TO BE ADOPTED ON APRIL 3, 1989

Adoption of an extension of time to Ordinance No. O-16855 (New Series), commonly known as the Uptown Emergency Ordinance.

The proposed action will extend Ordinance No. O-16855 until the implementing ordinances of the revised Uptown Community Plan are in effect. This extension is to be adopted as a regular interim ordinance.

Ordinance No. O-16855 applies to the Uptown Community Plan area (map on file in the office of the City Clerk) and is

summarized as follows:

1. Residential development at a density greater than one dwelling unit per 3000 square feet of lot area shall obtain a Planned Infill Residential Development (PIRD) Permit.
2. PRD's shall conform to the draft Uptown Community Plan and Planned Infill Residential Development Permit design standards.
3. No demolition permits shall be issued unless approved by the Planning Director, for the purpose of determining whether the structure is potentially historic; and there shall be penalties for demolishing a building without obtaining a demolition permit.
4. A Hillside Review Permit shall be required if any development is proposed within fifty feet of Hillside Review Overlay Zone area on the same property.
(Districts-2 & 8.)

Introduction of an Ordinance for an extension of time to the Uptown Emergency Ordinance.

PLANNING DEPARTMENT SUPPORTING INFORMATION: The Uptown Emergency Ordinance is an interim ordinance intended to regulate multi-family development and demolition permits in Uptown until the Uptown Community Plan implementing ordinances are in effect. It requires a Planned Infill Residential Development permit for multi-family development exceeding a density of one dwelling unit per 3000 square feet of lot area, and requires Planning Department approval of demolition permits to provide for review for historic significance.

This ordinance was adopted on May 4, 1987 and extended on April 4, 1988. This second extension will provide that the ordinance remain in effect beyond its current expiration date of May 4, 1989, until the Uptown implementing ordinances are in effect. These ordinances have been the subject of public hearings before the Planning Commission, and are anticipated to be before the City Council in April or May of 1989.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D420-604.)

Hearing began at 4:56 p.m. and halted at 5:05 p.m.

Testimony in opposition by Arthur H. Marston, Jr.

MOTION BY ROBERTS TO INTRODUCE, SUPPORTING STAFF RECOMMENDATION TO GO FORWARD WITH THE EXTENSION AND AMENDMENTS OF THE INTERIM ORDINANCE. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-210: (O-89-180) INTRODUCED AS AMENDED, TO BE ADOPTED ON
APRIL 3, 1989

Proposal to amend the West Clairemont Height Limitation Zone by adopting the following:

1. Remove paragraph E. Expiration Date from Municipal Code Section 101.0452.5, the West Clairemont Height Limitation Zone. This change will result in the Zone becoming a permanent zone rather than one with a specific expiration date.
2. Revise language throughout the ordinance to consistently identify the maximum height permitted as 30 feet rather than 36 feet (paragraphs A., C. D.2.a) (District-6.)

Introduction of an Ordinance amending the San Diego Municipal Code.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: F042-046.)

Hearing began at 5:45 p.m. and halted at 5:46 p.m.

MOTION BY HENDERSON TO APPROVE THE WEST CLAIREMONT HEIGHT LIMITATION ZONE MAKING IT PERMANENT, BUT AMEND TO INCLUDE ALL R-5000, R-3000 AND CN-ZONED AREAS WHICH ARE NOW EXEMPTED; AND REFER TO THE PLANNING COMMISSION DIRECTING EXTENSION OF THE 30-FOOT HEIGHT LIMIT TO ALL NON-INDUSTRIAL ZONED AREAS OF THE CLAIREMONT MESA COMMUNITY PLAN. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-211: CONTINUED TO MAY 2, 1989

(Continued from the meetings of November 15, 1988, Item 330, January 10, 1989, Item 333, January 23, 1989, Item 204 February 14, 1989, Item 337, February 28, 1989, Item 340 and March 7, 1989, Item S505; last continued at Council Member Wolfsheimer's request for further review.)

Approval of the proposed Sorrento Hills Development Agreement Case-88-0590 between the City of San Diego and American Newland Associates et al. The agreement would apply to approximately 557 acres in the Sorrento Hills community. The development agreement is being proposed to meet a condition placed on an approved tentative subdivision map for the property. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the

community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with Sorrento Hills Community Plan; Zones M-IP, M-1B, R-1500 and A-1-1; PRD, PID and Tentative Map TM-84-0570; PRD-84-0518; Tentative Map TM-84-0519; HRP-183; and HRP and Tentative Map TM-83-0167 for the 20-year term of the agreement. Additional provisions are included in the draft development agreement.

The subject property is located on the east side of I-5 and I-805 between Carmel Valley and Rancho de Los Penasquitos Canyon. A brief legal description is as follows: portions of Sections 29, 30, 31, 32, 24 and 25, Township 14 South, Range 3 West, SBBM; Map Nos. 433, 36 and others and Record of Survey Maps. The specific legal description is on file in the City Planning Department.

(Case-88-0590. District-1.)

Subitem-A: (R-89-947)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-81-12-33 (Sorrento Hills) has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (R-89-923)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-82-0380, an Addendum to EIR-81-12-33, SCH No. 82022406, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said addendum to report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-C: (R-89-921)

Adoption of a Resolution certifying that the information

contained in Environmental Impact Report EIR-83-0167, an Addendum to EIR-81-12-33, SCH No. 82022406, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said addendum to report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-D: (R-89-922)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-85-0101, an Addendum to EIR-81-12-33, SCH No. 82022406, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said addendum to report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-E: (R-89-610)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-88-0590, an Addendum to EIR-81-12-33, SCH No. 82022406, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said addendum to report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-F: (R-89-924)

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-84-0518, an Addendum to EIR-81-12-33, SCH No. 82022406, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 and

statement of overriding considerations pursuant to
California Public Resources Code Section 21081.

Subitem-G: (R-89-925)

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-84-0519, an Addendum to EIR-81-12-33, SCH No. 82022406, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-H: (R-89-926)

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-84-0520, an Addendum to EIR-81-12-33, SCH No. 82022406, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-I: (O-89-55)

Introduction of an Ordinance approving the development agreement.

FILE LOCATION: DEVL - SORRENTO HILLS DEVELOPMENT AGREEMENT

COUNCIL ACTION: (Tape location: A108-187.)

MOTION BY WOLFSHEIMER TO CONTINUE TO MAY 2, 1989, AS REQUESTED BY ALLEN PERRY REPRESENTING OWNERS IN THE SORRENTO HILLS COMMUNITY. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

*** ITEM-S400: (R-89-1574) ADOPTED AS RESOLUTION R-273083**

Accepting the low bid of \$760,679 and awarding a contract to Jackson and Blanc for the Construction of Steam

Replacement - Community Concourse/Central Library, Base Bid and Additive Alternate No. 1; authorizing the Auditor and Comptroller to transfer \$53,679 from Capital Outlay Fund 302453, CIP-37-003, Annual Allocation - Facility Requirements to CIP-37-416, Steam Source Replacement - Community Concourse/Central Library; authorizing the expenditure of funds not to exceed \$53,679 from CIP-37-416, Steam Source Replacement - Community Concourse/Central Library, to supplement funds previously authorized by Resolution R-272536, adopted on December 12, 1988, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-0005/89)

(Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: This project will install a system of steam boilers to provide space heating and water heating in the Central Library and the five buildings in the Community Concourse. Steam is currently being supplied by the San Diego Gas and Electric Co., who have announced plans to discontinue this system. The utility charges for the steam service have continued to increase as additional steam customers terminate service in anticipation of the future shut down. Present savings from on-site steam generation indicate a pay back within five years. The boilers have an expected service life of 25 years and can be salvaged should requirements change. Two bids were received, with 31 bid packages issued. The low bid of Jackson and Blanc is 5.65 percent over the estimate, since it is necessary that Additive Alternate No. 1 also be included which will replace leaking condensate lines and insulation containing asbestos on these lines. It is recommended that the contract, Base Bid and Additive Alternate No. 1 be awarded to Jackson and Blanc in the amount of \$760,679. Aud. Cert. 8900744.

FILE LOCATION: CONT - JACKSON AND BLANC CONT FY89-1

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S401: (R-89-1569) ADOPTED AS RESOLUTION R-273084

Accepting the low bid of \$4,195,146.70 and awarding a contract to R. E. Hazard Contracting Company and W.F.

Maxwell Inc. for The Improvement of Sorrento Valley Road from Sorrento Valley Boulevard to 3,300 Feet Northerly; authorizing the execution of an agreement with Pacific Bell relative to the above improvement; authorizing the City Auditor and Comptroller to transfer \$55,400 from Green Valley Pipeline, North City West FBA Project No. 21-8, Fund 79002 to CIP-52-099.4, Improvement of Sorrento Road from Sorrento Valley Boulevard to 3,300 Feet Northerly; authorizing the expenditure of an amount not to exceed \$55,400 from CIP-52-099.4, The Improvement of Sorrento Valley Road from Sorrento Valley Boulevard to 3,300 Feet Northerly, to supplement funds previously authorized by Resolution R-271593, adopted on August 8, 1988, for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-0035/89) (Torrey Pines Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On August 8, 1988, by Resolution R-271593, Council approved the plans, specifications and authorized advertising the subject project. On September 9, 1988, by Resolution R-271766, the Council authorized the project be expanded to include portions of the rerouted 30" Green Valley Pipeline North City West FBA Project No. 21-8 design by Wilson Engineering, employed by the Baldwin Company. On December 8, 1988 three bids (103 bid packages issued) were received with the low bid of \$4,195,146.70 by R.E. Hazard Contracting Co. and M.F. Maxwell, Inc., a joint venture, being 17.3 percent below the construction estimate of \$4,917,900. The bid items relative to the 30" Green Valley Pipeline were 6.1 percent above the engineer's estimate of \$728,200 and will require supplemental funding in the amount of \$55,400 from FBA Fund 79002. An agreement has been reached between the City and Pacific Bell regarding their utility conflicts with the proposed project. This agreement holds the City harmless for any damage to Pacific Bell facilities as a result of bridge pile driving or settlement anticipated at the bridge abutment areas.

Aud. Cert. 8900773.

WU-E&D-132.

FILE LOCATION: CONT - R. E. HAZARD CONTRACTING COMPANY AND
W. F. MAXWELL, INC. CONT FY89-2

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S402:

Five actions relative to the Sorrento Valley Road
Assessment District (Municipal Improvement Act of 1913):
(See City Manager Report CMR-89-118. Torrey Pines
Community Area. District-1.)

Subitem-A: (R-89-1712) ADOPTED AS RESOLUTION R-273085

Approving the Boundary Map of the proposed Assessment
District No. 4029, Sorrento Valley Road-Sorrento Valley
Boulevard to I-805; ordering the same filed with the City
Clerk.

Subitem-B: (R-89-1713) ADOPTED AS RESOLUTION R-273086

Resolution of Intention to order the acquisition of certain
rights-of-way and construction of certain street work
within the City; describing the proposed acquisitions and
improvements; directing the Superintendent of Streets to
make and file a written report with the City Clerk;
specifying the exterior boundaries of the District to be
benefitted by the acquisitions and improvements and to be
assessed to pay the costs and expense thereof; excluding
certain railroad rights-of-way from the District; providing
for a City contribution to the cost of the acquisition and
improvement work; determining that bonds shall be issued to
represent assessments to be levied; determining no City
obligation to cure deficiencies; providing for collection
and advance payment of assessments; providing for disposal
of any surplus remaining in the improvement fund after
completion of the improvements; determining no construction
contracts for any improvements shall be taken by owners;
ordering a hearing on the Majority Protest Act of 1931.

Subitem-C: (R-89-1714) ADOPTED AS RESOLUTION R-273087

Approving the Report of the Superintendent of Streets;
fixing a time and place for a public hearing.

Subitem-D: (R-89-1715) ADOPTED AS RESOLUTION R-273088

Calling for sealed proposals for the construction of the
proposed improvements.

Subitem-E: (R-89-1718) ADOPTED AS RESOLUTION R-273089

Authorizing the execution of a first amendment to the

agreement with Jennings, Engstrand and Henrikson, for the purpose of preparing the official statement for the Sorrento Valley Road Assessment District; authorizing the expenditure of an amount not to exceed \$10,000 from CIP-52-304, Sorrento Valley Road, for the above purpose. WU-E-89-092.

FILE LOCATION: STRT D2234

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S403: (R-89-1773) ADOPTED AS RESOLUTION R-273090

A Resolution approved by the City Council in Closed Session on Tuesday, March 7, 1989 by the following vote: Wolfsheimer-yea; Roberts-yea; McColl-yea; Pratt-yea; Struiksma-yea; Henderson-yea; McCarty-yea; Filner-not present; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$60,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury to Scott McMillan, (Superior Court Case No. 605853, Scott McMillan v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$60,000 made payable to Scott McMillan and his attorney, Tom Adler, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the personal injury claim of Scott McMillan against the City of San Diego as a result of injuries sustained on February 2, 1988. Aud. Cert. 8900777.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S404: (R-86-1631) CONTINUED TO APRIL 10, 1989

Vacating Evergreen Street between Poe Street and Quimby Street, under the procedure for the summary vacation of

streets where for a period of five consecutive years the street to be vacated has been impassable for vehicular travel and during such period no public money has been expended for maintenance; reserving and excepting from the foregoing vacation the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public utilities of any kind or nature; declaring that the City reserves and excepts from vacation and abandonment, easements, and rights of any public utility pursuant to any existing franchise or renewal thereof; declaring that the easements reserved herein are in, under, over, upon, along and across that portion of Evergreen Street.

(See City Manager Report CMR-89-112. Peninsula Community Area. District-2.)

FILE LOCATION: STRT J-2716; DEED F-4865 DEED FY89-1

COUNCIL ACTION: (Tape location: D605-E311.)

MOTION BY ROBERTS TO CONTINUE TO APRIL 10, 1989, TO ALLOW THE CITY MANAGER TIME TO MEET WITH THE PROPERTY OWNERS TO WORK OUT AN ARRANGEMENT TO ACCOMMODATE THE NEEDS OF THE PROPERTY OWNERS

WHILE PROTECTING THE NEIGHBORHOOD DENSITY. Second by McColl.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S405: (R-89-1723) ADOPTED AS RESOLUTION R-273091

Approving the acceptance by the City Manager of a City standard form Grant Deed to be subsequently executed by Gary A. Earle and Daniel M. Whitaker of Whitaker Investment Corporation, conveying to the City Lots 1 thru 8, inclusive, Block 27 of Thomas' Resubdivision of Block 27, Horton's Addition, together with the south half of the alley as vacated by Council Resolution 82006, adopted October 20, 1945, for the acquisition of 1320 East Broadway, proposed East Broadway Civic Center Project; authorizing the expenditure of not to exceed \$1.25 million from CIP-37-220, Civic Center Complex, to cover the cost of the above acquisition; declaring that the City Council acknowledges its obligation to reimburse the City's Water Utility for said expenditure, plus simple interest at the rate of eight percent, in the event the proposed Civic Center Complex, which is now only in a conceptual state, does not in fact ultimately proceed to commencement of

construction within ten years following the date of this Resolution, with such reimbursement to be made from any available City funds.

(Centre City Community Area. District-8.)

Aud. Cert. 8900767.

WU-PR-89-139.

FILE LOCATION: DEED F-4866 DEED FY89-1

COUNCIL ACTION: (Tape location: F031-041.)

MOTION BY ROBERTS TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S406: (O-89-188) INTRODUCED AND ADOPTED AS ORDINANCE
O-17271 (New Series)

Introduction and adoption of an Emergency Ordinance amending Ordinance O-17031 adopted February 22, 1988 by amending San Diego Municipal Code Sections 52.9508, 52.9509, 52.9510, 52.9511, 52.9512, relating to AIDS Discrimination, by correcting erroneous original language so that the provisions of the Ordinance apply only to the division instead of the entire Chapter V of the San Diego Municipal Code.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F051-061.)

MOTION BY McCOLL TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S407: (R-89-1775) ADOPTED AS RESOLUTION R-273092

A Resolution approved by the City Council in Closed Session on Tuesday, February 28, 1989 by the following vote: Wolfsheimer-yea; Roberts-yea; McColl-yea; Pratt-yea; Struiksma-yea; Henderson-yea; McCarty-yea; Filner-yea; Mayor-not present.

Authorizing the City Manager to pay the total sum of \$47,500 in the settlement of each and every claim against the City, its agents and employees, resulting from the property damage to the business (Pottery Village) of Willard and Bobbie Bohannon, (Superior Court Case No. 592018, Bobbie and Willard Bohannon, dba Bohannon's Pottery

Village v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the amount of \$47,500 made payable to Bobbie and Willard Bohannon and their attorney, William I. Chopak, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of all claims as a result of a storm drain pump malfunction during heavy rain storms which occurred on November 17, 1986, November 4, 1987 and December 4, 1987, at the business of Willard and Bobbie Bohannon.
Aud. Cert. 8900784.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A306-326.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

ITEM-PC-1: REFERRED TO THE CITY MANAGER

Comments by Dolores M. Celia regarding Pacific Furlough.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: F624-627.)

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 6:30 p.m.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: F628-629).